

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 19TH JULY 2006 / 28TH ASHADHA,1928

Bail Appl..No. 4234 of 2006

(CRIME NO.259/2006 OF BEKAL POLICE STATION)

PETITIONER/ACCUSED;

KHALID. A.C., AGED 48 YEARS,
S/O. LATE ABOOBACKER, RESIDING AT
WEAVERS STREET, NEELESWAR,
KASARAGOD DISTRICT.

BY ADV. SRI.SURESH KUMAR KODOTH

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
STATION HOUSE OFFICER, BEKAL POLICE
STATION THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.M. HABEEB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19/07/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. 4234/2006

DATED THIS THE 19TH DAY OF JULY, 2006

O R D E R

The petitioner is the second accused, in crime No.259/2006 of Bekal Police Station. The allegation is that the accused had cut, removed and transported 27 Kgs. of sandal wooden logs in an autorickshaw, bearing registration No. KL 14F 4066, at Periya village. The first accused had been arrested on the spot. The second accused escaped and thereafter, he absconded. Hence this application, under Section 438 Cr.P.C.

2. I heard both sides. During the pendency of the investigation, the police had made over the investigation to the Forest Range Officer, Kanjagad. However considering the submissions made by both sides, I direct the petitioner to surrender before the Judicial Magistrate of First Class-I, Hosdurg, on 26.7.2006 at 11.00 a.m. The petitioner may move an application for bail, after serving copy of the same, to the APP and if there is no prayer for

the custody of the accused, for the completion of the investigation, the learned Magistrate shall pass appropriate orders on the bail application, that may be filed by the petitioner before that Court, and pass orders on merit, on the same day itself.

The application is disposed of as above.

**J.M.JAMES
JUDGE**

mrCS